

To: CN=Brendan Gilfillan/OU=DC/O=USEPA/C=US@EPA;CN=Alisha Johnson/OU=DC/O=USEPA/C=US@EPA;"Andra Belknap" [Belknap.Andra@epa.gov]; N=Alisha Johnson/OU=DC/O=USEPA/C=US@EPA;"Andra Belknap" [Belknap.Andra@epa.gov]; Andra Belknap" [Belknap.Andra@epa.gov]; N=Robert Delp/OU=DC/O=USEPA/C=US@EPA;CN=David Bloomgren/OU=DC/O=USEPA/C=US@EPA;CN=Stephanie Epner/OU=DC/O=USEPA/C=US@EPA;CN=Michael Moats/OU=DC/O=USEPA/C=US@EPA;CN=Dru Ealons/OU=DC/O=USEPA/C=US@EPA;CN=Stephanie Owens/OU=DC/O=USEPA/C=US@EPA;CN=Karley Kranich/OU=DC/O=USEPA/C=US@EPA[]; N=David Bloomgren/OU=DC/O=USEPA/C=US@EPA;CN=Stephanie Epner/OU=DC/O=USEPA/C=US@EPA;CN=Michael Moats/OU=DC/O=USEPA/C=US@EPA;CN=Dru Ealons/OU=DC/O=USEPA/C=US@EPA;CN=Stephanie Owens/OU=DC/O=USEPA/C=US@EPA;CN=Karley Kranich/OU=DC/O=USEPA/C=US@EPA[]; N=Stephanie Epner/OU=DC/O=USEPA/C=US@EPA;CN=Michael Moats/OU=DC/O=USEPA/C=US@EPA;CN=Dru Ealons/OU=DC/O=USEPA/C=US@EPA;CN=Stephanie Owens/OU=DC/O=USEPA/C=US@EPA;CN=Karley Kranich/OU=DC/O=USEPA/C=US@EPA[]; N=Michael Moats/OU=DC/O=USEPA/C=US@EPA;CN=Dru Ealons/OU=DC/O=USEPA/C=US@EPA;CN=Stephanie Owens/OU=DC/O=USEPA/C=US@EPA;CN=Karley Kranich/OU=DC/O=USEPA/C=US@EPA[]; N=Dru Ealons/OU=DC/O=USEPA/C=US@EPA;CN=Stephanie Owens/OU=DC/O=USEPA/C=US@EPA;CN=Karley Kranich/OU=DC/O=USEPA/C=US@EPA[]; N=Stephanie Owens/OU=DC/O=USEPA/C=US@EPA;CN=Karley Kranich/OU=DC/O=USEPA/C=US@EPA[]; N=Karley Kranich/OU=DC/O=USEPA/C=US@EPA[]

Cc: []

From: CN=Stephanie Gebhardt/OU=DC/O=USEPA/C=US

Sent: Tue 6/19/2012 12:36:54 PM

Subject: Top Stories 6/19/2012

http://www.politico.com/news/stories/0612/77507_Page2.html#ixzz1yF35MEpg

YAY!! Monday is over, 20% of the week is up.

3 top stories and 3 extra headlines:

E&E News PM: AIR POLLUTION: White House threatens veto of Inhofe mercury bill

Politico Pro: Energy issues crop u with farm bill

Environment and Energy Daily: HYDRUALIC FRACTURING: Senate panel to hear pros, cons of new 'freacking' air rules

Also in the news:

Fox issues clarification to report on drones (Washington Post)

The EPA's tax on business (Houston Chronicle)

CLIMATE: House panel to scrutinize EPA's GHG efforts (Environment and Energy Daily)

AIR POLLUTION: White House threatens veto of Inhofe mercury bill (E&E News PM)

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June 18, 2012

The White House today made it official: President Obama would veto a Senate resolution knocking down U.S. EPA's new standard for power plant mercury emissions if it clears both chambers of Congress.

"The Mercury and Air Toxics Standards will ensure that the Nation's power plants install modern, widely available technologies to limit harmful pollution -- leveling the playing field for power plants that already have such controls in place," the Office of Management and Budget said in a statement. "The standards are achievable; pollution control equipment that can help meet them already is installed at more than half of the Nation's coal-fired power plants."

But passage of Sen. James Inhofe's (R-Okla.) motion under the Congressional Review Act is by no means assured, with differences of opinion even among chamber Republicans about whether the resolution should go forward.

A vote on the measure is scheduled for Wednesday, but two senators introduced an alternative last week that supporters of Inhofe's resolution say will draw support away from it.

Sen. Lamar Alexander (R-Tenn.) has sponsored a bill with Sen. Mark Pryor (D-Ark.) that would delay the rule to provide industry with three additional years to phase in controls on emissions.

Conservative activists hit back today against Alexander, calling him the president's "pawn."

"By opposing Sen. James Inhofe (R-Okla.) in his effort to block the costliest EPA mandate ever proposed -- you are acting as nothing more than a pawn in Obama's 'War on Coal,'" Americans for Limited Government President Bill Wilson said in a letter today to Alexander.

Alexander's vote, Wilson added, would provide cover for "other Obama foot soldiers" who would support it in lieu of Inhofe's more sweeping measure.

The toxics rule, which is estimated to cost industry nearly \$10 billion a year in compliance costs, is set to take effect in 2015. Alexander-Pryor would delay it until 2018.

Alexander spent today in his home state touting his bill as part of a broader pro-business agenda.

In remarks prepared for a House Oversight and Government Reform Committee field hearing in Murfreesboro, Tenn., Alexander repeated his argument that employers find it hard to locate in Tennessee when it is in nonattainment with air quality standards, because they can't get permits to operate.

"Every one of Tennessee's major metropolitan areas right now is struggling to stay within the legal clean air standards," he said. "If they drop below those standards, the next Nissan or Volkswagen or auto supplier will go somewhere else."

With or without Alexander-Pryor, Inhofe's resolution is expected to fall short of the 50 votes needed to clear the Senate under the Congressional Review Act.

Energy issues crop up with farm bill (Politico Pro)

By Darren Goode

June 17, 2012 9:42 PM (not sure why this was in today's clips)

Senators in both parties are trying to use the farm bill to go after EPA regulations and permits as a potential last-ditch effort to affect agency policy before the election.

The amendments range from the usual moves against the agency's renewable fuels mandate and so-called farm dust controls to efforts to limit pesticide permits and boost the power of the agency's liaison to farmers.

Several amendments bear the fingerprints of Missouri Democratic Sen. Claire McCaskill. For example, she's on a bipartisan list of senators behind an amendment from Sen. Kay Hagan (D-N.C.) exempting some pesticides already covered under the Federal Insecticide, Fungicide and Rodenticide Act from Clean Water Act permits.

The dual regulation is "just not necessary. I mean, why would you make somebody fill out the same stuff more than one time?" McCaskill said Thursday.

The amendment also would require the Environmental Protection Agency to report to Congress on the status of coordination between the agency's water and pesticide offices, analyze current pesticide regulations and, according to the text, recommend how FIFRA could be modified "to better protect water quality and human health."

"This doesn't impact the environment," McCaskill said.

Green groups disagree and have labeled the amendment's defeat as one of their top priorities in the farm bill debate. They say it won't help farmers — except for those that grow crops in water, like rice and cranberries — and note that the Clean Water Act already exempts agricultural irrigation runoff from permits.

"No — this amendment wouldn't help farmers one bit," according to a memo to Senate staff from the NRDC. "And who would it harm? Your constituents who drink, fish or swim in our waters."

McCaskill also is pushing an amendment codifying the role of chief agriculture counsel at EPA and requiring that this farming liaison weigh in on regulations before they are issued. And she has signed on to an amendment offered by Sen. Mike Johanns (R-Neb.) to prevent the EPA from imposing rules on farm dust, although the agency has said it has no such plans.

McCaskill, who is a prime target of Republicans in her 2012 reelection, wants voters to remember her role in the farm-dust issue, as well as the part she played in a child labor rule that the Labor Department proposed and withdrew after an outcry from farmers.

"I'm glad I had a part in killing both of them," she said. "I want to make sure no one forgets I had a part in killing both of them."

As for Johanns, he has offered another amendment that would stop any attempt to do aerial surveillance or record images of agricultural operations.

"This is almost creepy," he said Thursday before relaying complaints from farmers and ranchers about EPA surveillance. "All we're saying is, look, until you give us the information about what you're doing, how you're using the information, we want this stopped."

Environment and Public Works ranking member Sen. Jim Inhofe has proposed amendments to stymie agency stormwater and oil storage tank regulations.

His amendment with Sen. David Vitter (R-La.) would make the EPA review new stormwater rules before they are issued. Another, with Sen. Jeff Sessions (R-Ala.), would exempt smaller above-ground oil storage tanks from EPA spill-prevention controls and would allow all farmers who are regulated to self-certify their plans.

Multiple GOP amendments seek to repeal the congressionally mandated renewable fuels mandate that EPA oversees, including one from Sen. Jim DeMint (R-S.C.) that combines that repeal with a permanent repeal of the estate tax.

A fact sheet sent by the Clean Water Network to its members Thursday titled, "Is Congress protecting clean water? I wouldn't bet the farm on it," points to several amendments.

It includes one from Sen. John Barrasso (R-Wyo.) to block an EPA and Army Corps of Engineers clean water guidance, one from Sen. Rand Paul (R-Ky.) that the environmental group said would “effectively repeal the Clean Water Act” — and one from Sen. Mario Rubio (R-Fla.) to stop EPA nutrient criteria in his state.

It's unclear whether any of these will see the light of day.

Senate leaders are still trying to whittle the list of more than 250 amendments to a manageable level.

Senate agriculture committee Chairwoman Debbie Stabenow (D-Mich.) on Thursday said progress had been made “that will allow us to move forward” next week. The next scheduled Senate vote is Monday afternoon, though it is on a nomination and is unrelated to the farm bill.

Read more: http://www.politico.com/news/stories/0612/77507_Page2.html#ixzz1yF35MEpg

HYDRAULIC FRACTURING: Senate panel to hear pros, cons of new 'fracking' air rules (Environment and Energy Daily)

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June 18, 2012

An Environment and Public Works subcommittee will hear testimony tomorrow on the first-ever national standards to limit air pollution from hydraulic fracturing.

The Senate Clean Air and Nuclear Safety Subcommittee will hear from industry, environmentalists and U.S. EPA air chief Gina McCarthy about the rule, which the agency finalized in April.

The rule requires all new or refracked wells to use combustion to reduce emissions of volatile organic compounds (VOCs) effective immediately. These operations would be required to move to "green completion" technology, which reduces VOCs together with nitrogen oxides and methane, by Jan. 1, 2015, at the latest.

Environmentalists praised the EPA rule as important to ensuring that natural gas is produced in an environmentally friendly way. But industry continues to ask for more time to phase in emissions reductions and for changes that would exempt many producers from having to use green completions at all.

Industry and EPA disagree on how much green completion technology will cost and on whether it should be mandated for all "fracking" operations or only those that vent streams that have a high proportion of VOCs as opposed to methane.

Some industry representatives have accused EPA of using a shortcut method of regulating greenhouse gas emissions from fracking by requiring methane-heavy operations to limit their emissions, too.

The American Petroleum Institute and others have said that the green completion requirement will cost \$180,000 per well. EPA has put the cost at \$33,000.

Schedule: The hearing is tomorrow at 10 a.m. in 406 Dirksen.

Witnesses: Gina McCarthy, assistant administrator for the Office of Air and Radiation, U.S. EPA; Fred Krupp, president, Environmental Defense Fund; John Corra, director, Wyoming Department of Environment Quality; Tisha Conoly Schuller, president and CEO, Colorado Oil & Gas Association; Darren Smith, environmental manager, Devon Energy Corp.; and William Allison V, director, air pollution control division, Colorado Department of Public Health.